



**Date:** January 7, 2014

**To:** Thomas J. Bonfield, City Manager  
**Through:** W. Bowman Ferguson, Deputy City Manager  
**From:** Marvin G. Williams, Director of Public Works  
**Subject:** Public Hearing for Confirmation of Assessment Roll

Street Paving on Clover Hill Place (Dunwoody Subdivision) from South Riverdale Drive to end of cul-de-sac

### **Executive Summary**

The City Council previously adopted a resolution ordering the making of the subject improvement. The improvement has now been completed, and the preliminary assessment roll has been prepared. In accordance with Section 78 of the Charter of the City of Durham, a resolution was adopted by City Council on January 6, 2014, setting a public hearing for February 3, 2014, for confirmation of the subject assessment roll.

### **Recommendation**

The Public Works Department recommends that a public hearing be conducted and that City Council adopt a resolution confirming the subject assessment roll.

### **Background:**

Dunwoody Subdivision is a twelve-lot subdivision located approximately 700 feet south of the intersection of Umstead Road and S. Riverdale Drive. The subdivision has one ribbon paved street. The developer, Riverdale Development, LLC, filed articles of dissolution with the Secretary of State without putting the final layer of asphalt on the street. In the spring of 2010, the project was added to the Failed and Struggling Development Program.

Per City Council direction, a public hearing was held at the June 17, 2013 City Council meeting and the improvement of Clover Hill Place was ordered. The street paving was ordered by adoption of a resolution by City Council in accordance with Section 78 of the Charter of the City of Durham, which provides for assessment of abutting properties. City Council had determined at the May 6, 2013 Council meeting that the City would contribute \$8,100.00 towards the total cost of this project. Public Works completed the street paving in the Dunwoody subdivision in August 2013 as a part of the 2013 resurfacing program. The total cost of this project was considerably less than originally anticipated due to decreased asphalt costs and a good sub-base structure on the street. The final cost was \$ 12,110.74, leaving a balance of \$ 4,010.74 to be apportioned and assessed against the twelve (12) lots on this street. This results in an assessment of \$334.23 per lot. These assessments may be paid over five years without interest, in accordance with the resolution adopted by City Council on June 17, 2013, ordering the improvement. As noted the improvement has now been completed and a preliminary assessment roll has been prepared for the improvement. The next step in the assessment process is for City Council to hold a public hearing for confirmation of the assessment roll.

**Issues and Analysis:**

Section 78 of the Charter of the City of Durham dictates that City Council hold a public hearing before final confirmation of the assessment roll.

**Alternatives:**

There is not an alternative per the City Charter.

**Financial Impacts:**

Once the public hearing is held and City Council adopts a resolution confirming the assessment roll, the City can proceed with collecting payments for these assessments.

**SBDE Summary:**

The SDBE Summary is not applicable to this item.

MGW/lca